

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JULIA HUBBARD and KAYLA
GOEDINGHAUS,

Plaintiffs,

V.

TRAMMELL S. CROW, JR., DR. BENJAMIN TODD ELLER, RICHARD HUBBARD, DR. MELISSA MILLER, DR. JOSEPH BOLIN, DR. SCOTT WOODS, DR. MRUGESHKUMAR SHAH, MICHAEL CAIN, COE JURACEK, PHILIP ECOB, H.J. COLE, TEXAS RANGER CODY MITCHELL, KURT KNEWITZ, PAUL PENDERGRASS, RALPH ROGERS, ROBERT PRUIT, SCOTT BRUNSON, CASE GROVER, RICHARD BUTLER, MARC MOLINA, MICHAEL HYNES, JR., SHAWN MAYER, JADE MAYER, RCI HOSPITALITY HOLDINGS, INC., INTEGRITY BASED MARKETING, LLC, STORM FITNESS NUTRITION, LLC, ULTRA COMBAT NUTRITION, LLC, ECOLIFT HOMES LLC, ELEVATED WELLNESS PARTNERS LLC, DOE INDIVIDUALS 1–20, and DOE COMPANIES 21–30

Defendants.

[illegible]

Case No. 5:23-cv-00580-FB

Judge: Hon. Fred Biery

Courtroom: 8509

Date Action Filed: May 8, 2023 (transferred)

UNOPPOSED MOTION FOR LEAVE TO EXCEED PAGE LIMITS

Defendant Trammell S. Crow, Jr. (“Crow”) requests leave to exceed the Court’s page limits and permit Crow to file a motion to dismiss that is up to twenty-seven (27) pages long.

Pursuant to Local Rule CV-7(D), parties are limited to twenty (20) pages for non-discovery motions. Plaintiffs' Amended Complaint is 74 pages long,¹ asserts claims against thirty named individuals (plus additional unnamed individuals and companies),² and asserts four causes of action against all defendants. *See, e.g.*, Am. Comp. at 68. This request for seven (7) additional pages is not for the purpose of delay or to complicate the proceedings but in order to ensure that the issues in dispute are clearly presented to the Court. Plaintiff asserts causes of action pursuant to the Victims of Trafficking and Violence Protection Act of 2000 ("TVPA") and RICO, under 18 U.S.C. § 1962(c) and (d), both of which are complex statutes with detailed pleading requirements and elements. Plaintiffs' TVPA and RICO allegations are deficient for multiple, independent reasons. The additional pages are necessary to compare the statutory schemes alleged to the factual allegations in the Complaint.

A true and correct copy of Crow's Motion to Dismiss is attached as **Exhibit A**. A redline comparison of the First Amended Complaint to Plaintiffs' Original Complaint is attached as **Exhibit B**.³ *Compare* Dkt. 151.

Crow has met and conferred with counsel for Plaintiffs and they are unopposed to the relief requested.

¹ Plaintiffs' Amended Complaint is ten pages longer than the original Complaint. *Compare* Dkt. 1 and Dkt. 190.

² By amendment, Plaintiffs added an additional defendant, Aaron Burlingame.

³ The Declaration of Kyle Foltyn Smith is attached as **Exhibit C**, authenticating the redline comparison attached hereto as Exhibit B.

DATED: July 19, 2023

Respectfully submitted,

/s/ Kenneth C. Stone

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*Attorneys for Defendant
Trammell S. Crow, Jr.*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion was served on all counsel of record via ECF on July 19, 2023:

/s/ Kenneth C. Stone
Kenneth C. Stone

Attorneys for Defendant Trammell S. Crow, Jr.

CERTIFICATE OF CONFERENCE

The undersigned conferred with Matthew W. Schmidt, counsel for Plaintiffs, via email on July 18, 2023, and Mr. Schmidt stated Plaintiffs are unopposed to the relief requested.

/s/ Kenneth C. Stone
Kenneth C. Stone